Amendments to the Drawings

Attached to this amendment as an appendix are drawing sheets showing corrected FIGS 5-7.

REMARKS

This amendment responds to the office action mailed April 12, 2005.

The Examiner objected to the drawings, contending that reference numerals 100-141 shown in FIGS. 5-7 were not mentioned in the specification with respect to reference numerals 100-112 and 118-141. The Examiner is incorrect as these reference numerals appear through the specification following page 14. Attached are drawing sheets showing corrected FIG. 6 that overcome the Examiner's objection by removing reference numerals 114 and 116.

The Examiner rejected claims 1 and 31-33 under 35 U.S.C. § 103(a) as being obvious in view of the combination of Maturi et al., U.S. Patent No. 5,559,999 (hereinafter Maturi), Kim et al., U.S. patent No. 5,521,927 (hereinafter Kim), and Srinivasan et al., U.S. Patent No. 6,357,042 (hereinafter Srinivasan). As conceded by the Examiner, Maturi fails to disclose the limitations of (1) a "sample application time moment that is based, at least in part, upon a delay in a packetization process" and (2) instigating an event apart from reconstructing audio and video. With respect to the first limitation, the Examiner argues that Kim discloses the step of adding an offset to an application time moment that is equal to the interval between a coding start time and a time point that a stamp is coded in the transport stream. The Examiner also argues that Srinivasan discloses that metadata may be appended to a video stream. Independent claim 1 has been amended to include the further limitation of "<u>said packetization process packetizing data apart from video and audio in a first data stream and including a second data stream, independent of said first data stream, containing said sample application time moment.</u>" This additional limitation distinguishes over the cited combination in two respects.

First, Srinivasan discloses that metatdata may be appended to a video data stream having presentation time stamps (PTS) by routing the metadata to authoring stations and encoding the metadata *with the corresponding PTS from the portion of video stream* to which the metadata relates. See col. 3 at lines 41-52 and col. 4 lines 12-16. Thus, were the system of Srinivasan to be combined with Maturi and Kim in the manner suggested by the Examiner, the sample application time moment would not be based upon a delay in a packetization process for the metadata, because any such delay the moment described in the presentation time stamp to which the

metadata is appended would have been calculated and stamped *prior to the delay* in the packetization process. Though Srinivasan describes embodiments where time stamps are rewritten, such rewriting is done where there are multiple video streams to which a metadata stream is to be attached, and there are also real time differences between the sources of video streams. Thus, even in these embodiments, the re-written time stamps would be dependent solely on the time stamps of the input video sources and would not be based upon a delay in the packetization process of the metadata.

Second, none of the cited references disclose the limitation of "said packetization process packetizing data apart from video and audio *in a first data stream and including a second data stream, independent of said first data stream, containing said sample application time moment*", which is supported by FIG. 1 and the accompanying description in the specification at p. 15 lines 18-21. Therefore, for each of the foregoing reasons, independent claim 1 patentably distinguishes over the cited combination and should be allowable.

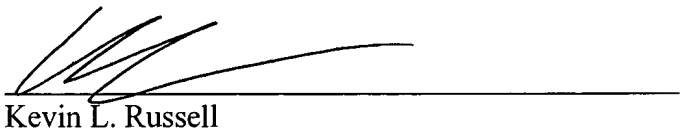
Independent claim 31 has been amended to include the limitations of "a first data unit generator generating at said correlating application time a first data unit in a first data stream, said first data unit comprising said application time sample and a first data unit presentation moment of said system time" and " a second data unit generator generating a second data unit a second data stream generated apart from said first data stream, said second data unit comprising said correlating application time and a descriptor of said event apart from reconstructing video and audio." None of the cited references disclose this limitation. Therefore independent claim 31 as well as its dependent claims 32 and 33, patentably distinguish over the cited combination and should be allowable.

The Examiner rejected claims 2-17, 27, and 28 under 35 U.S.C. § 103(a) as being obvious in view of the combination of Maturi and Kim. Independent claims 2, 6, 12, 27 and 28 have each been amended in the same manner as independent claim 1 and are patentably distinguishable over the cited combination for the same reasons as is independent claim 1. Therefore each of claims 2-17, 27, and 28 should be allowable.

The Examiner rejected claims 18-26, 34, and 35 under 35 U.S.C. § 103(a) as being obvious in view of the combination of Maturi and Srinivasan. Claims 34 and 35 have been canceled. Independent claim 18, as amended, includes the limitations of "incorporating said sample moment of said application time in a first data unit to be presented at a first data unit presentation moment of said system time" and "associating said event and said instant of said program element with a correlating moment of said application time in a second data unit, said first and second data units generated in separate data streams." None of the cited references disclose this limitation. Therefore independent claim 18, along with dependent claims 19-26 patentably distinguish over the cited combination and should be allowable.

In view of the foregoing amendments and remarks, the applicant respectfully requests reconsideration and allowance of claims 1-28 and 31-33.

Respectfully submitted,



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CERTIFICATE OF MAILING

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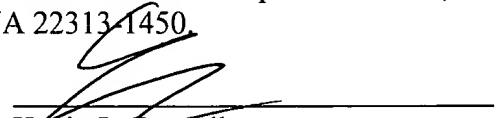

Dated: September 29, 2005 Kevin L. Russell

APPENDIX

Attached to this appendix are drawing sheets showing corrected figures 5-7.

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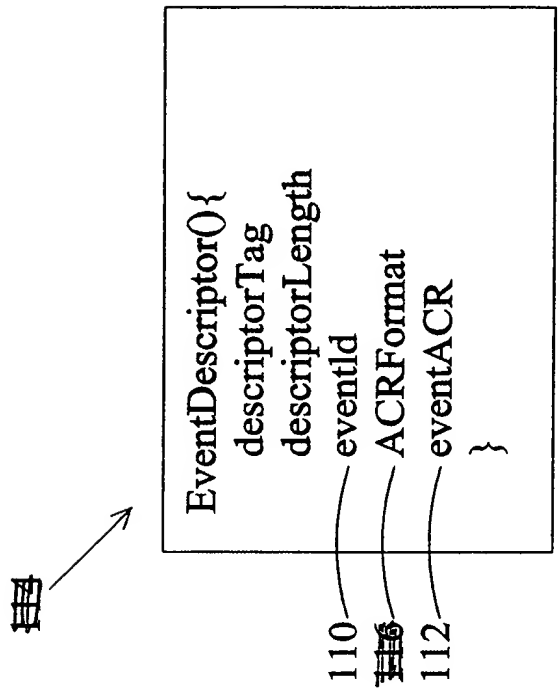

FIG. 6

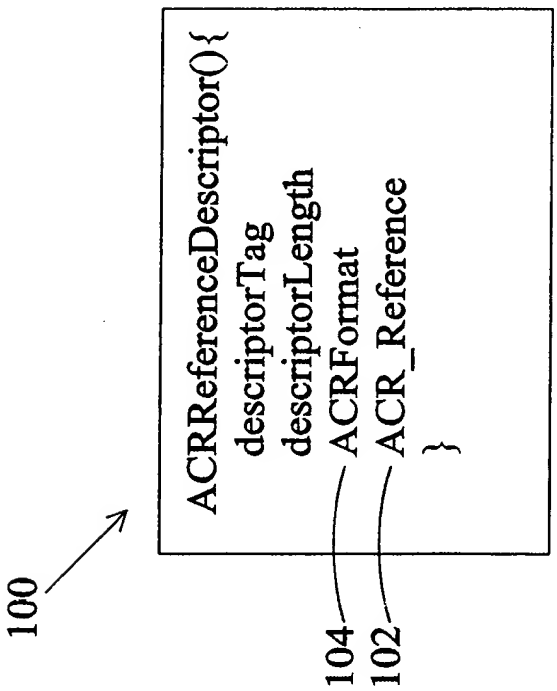

FIG. 5